

**U.S. District Court**  
**DISTRICT OF ARIZONA (Tucson Division)**  
**CIVIL DOCKET FOR CASE #: 4:18-cv-00276-JAS**

Center for Biological Diversity v. Environmental Protection Agency  
Assigned to: Judge James A Soto  
Cause: 05:552 Freedom of Information Act

Date Filed: 06/01/2018  
Jury Demand: None  
Nature of Suit: 895 Other Statutes:  
Freedom of Information Act  
Jurisdiction: U.S. Government Defendant

**Plaintiff****Center for Biological Diversity**

represented by **Alexa Marie Carreno**  
Environmental and Animal Defense  
501 S Cherry St., Ste. 1100  
Denver, CO 80246  
720-722-0336  
Email: [acarreno@eodefense.org](mailto:acarreno@eodefense.org)  
**LEAD ATTORNEY**  
**PRO HAC VICE**  
**ATTORNEY TO BE NOTICED**

**Jeremy Devin Mckay**  
Environmental and Animal Defense  
501 S Cherry St., Ste. 1100  
Denver, CO 80246  
720-722-0336  
Email: [jmckay@eodefense.org](mailto:jmckay@eodefense.org)  
**LEAD ATTORNEY**  
**PRO HAC VICE**  
**ATTORNEY TO BE NOTICED**

V.

**Defendant**

**Environmental Protection Agency**  
*named as U.S. Environmental Protection Agency*

represented by **Katherine V Foss**  
US Attorneys Office – Tucson, AZ  
405 W Congress St., Ste. 4800  
Tucson, AZ 85701-4050  
520-620-7380  
Fax: 520-620-7138  
Email: [Katherine.foss@usdoj.gov](mailto:Katherine.foss@usdoj.gov)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

Date Filed	#	Docket Text
06/01/2018	<u>1</u>	COMPLAINT. Filing fee received: \$ 400.00, receipt number 0970-15564097 filed by Center for Biological Diversity. (Carreno, Alexa) (Attachments: # <u>1</u> Civil Cover Sheet)(KAH) (Entered: 06/01/2018)
06/01/2018	<u>2</u>	SUMMONS Submitted by Center for Biological Diversity. (Carreno, Alexa) (Attachments: # <u>1</u> Summons, # <u>2</u> Summons)(KAH) (Entered: 06/01/2018)
06/01/2018	<u>3</u>	Filing fee paid, receipt number 0970-15564097. This case has been assigned to the Honorable James A Soto. All future pleadings or documents should bear the correct case number: CV-18-00276-TUC-JAS. Notice of Availability of Magistrate Judge to Exercise Jurisdiction form attached. (KAH) (Entered: 06/01/2018)
06/01/2018	<u>4</u>	Summons Issued as to Environmental Protection Agency, U.S. Attorney and U.S. Attorney General. (Attachments: # <u>1</u> Summons, # <u>2</u> Summons) (KAH) (Entered: 06/01/2018)

06/01/2018	<u>5</u>	ORDER: Plaintiffs shall serve a copy of this Order on Defendants at the same time they serve the Summons and Complaint; if these have already been served on Defendants prior to Plaintiffs receiving this Order, Plaintiffs shall serve this Order on Defendants within 14 days of the filing date of this Order. Within 7 days of serving this Order on Defendants, Plaintiffs shall file a notice with the Court indicating when Defendant was served with this Order. (see PDF attached for complete details) Signed by Judge James A Soto on 6/1/2018. (SIB) (Entered: 06/01/2018)
06/04/2018		Remark: Pro hac vice motions granted for Alexa Carreno and Jeremy Mckay on behalf of the plaintiffs. This is a TEXT ENTRY ONLY. There is no PDF document associated with this entry. (BAS) (Entered: 06/04/2018)
06/13/2018	<u>6</u>	Corporate Disclosure Statement by Center for Biological Diversity. (Carreno, Alexa) (Entered: 06/13/2018)
06/13/2018	<u>7</u>	SERVICE EXECUTED filed by Center for Biological Diversity: Affidavit of Service re: Complaint and Summons upon U.S. Attorney General Jeff Sessions, U.S. Attorney's Office in Tucson, U.S. Environmental Protection Agency on June 11, 2018. (Attachments: # <u>1</u> Mail Receipts)(Mckay, Jeremy) (Entered: 06/13/2018)
06/13/2018	<u>8</u>	NOTICE re: of Compliance by Center for Biological Diversity <i>with June 1, 2018 Court Order.</i> (Mckay, Jeremy) (Entered: 06/13/2018)
08/03/2018	<u>9</u>	MOTION for Extension of Time to File Answer by Environmental Protection Agency. (Attachments: # <u>1</u> Text of Proposed Order)(Foss, Katherine) (Entered: 08/03/2018)
08/13/2018	<u>10</u>	ANSWER to <u>1</u> Complaint by Environmental Protection Agency.(Foss, Katherine) (Entered: 08/13/2018)
08/17/2018	<u>11</u>	ORDER granting <u>9</u> MOTION for Extension of Time. This order requires the parties to file a Rule 16 joint report by 10/1/18. The parties shall appear for a case management conference at 10:30 a.m. in Courtroom 6A on 10/5/18. The parties are jointly responsible for initiating the communication necessary to prepare this joint report. Signed by Judge James A Soto on 8/16/2018. (See attached Order for details)(KEP) (Entered: 08/17/2018)
09/30/2018	<u>12</u>	First MOTION for Leave to Appear Telephonic Attendance of Counsel <i>Carreno and McKay</i> by Center for Biological Diversity. (Attachments: # <u>1</u> Text of Proposed Order Proposed Order)(Carreno, Alexa) (Entered: 09/30/2018)
10/01/2018	<u>13</u>	Additional Attachments to Main Document re: <u>12</u> First MOTION for Leave to Appear Telephonic Attendance of Counsel <i>Carreno and McKay Amended Proposed Order</i> by Plaintiff Center for Biological Diversity. (Carreno, Alexa) (Entered: 10/01/2018)
10/01/2018	<u>14</u>	*STATUS REPORT ( <i>JOINT</i> ) by Center for Biological Diversity. (Attachments: # <u>1</u> Text of Proposed Order)(Mckay, Jeremy) *Modified to reflect that the PDF was filed without case number 10/2/2018 (SIB). (Entered: 10/01/2018)
10/02/2018	<u>15</u>	ORDER: The case management conference scheduled for 10/5/18 at 10:30 a.m. is vacated. Plaintiffs motion to appear telephonically (Doc. 12) at the conference is denied as moot. The parties shall file another joint status report on or before October 31, 2018, updating the Court on the status of their discussions and proposing a schedule for further proceedings.. Signed by Judge James A Soto on 10/2/18.(JAS, kr) (Entered: 10/02/2018)
10/31/2018	<u>16</u>	STATUS REPORT by Center for Biological Diversity. (Attachments: # <u>1</u> Text of Proposed Order)(Carreno, Alexa) (Entered: 10/31/2018)
11/02/2018	<u>17</u>	ORDER that the parties shall file another joint status report on or before November 15, 2018, updating the Court on the status of their discussions and proposing a schedule for further proceedings. Signed by Judge James A Soto on 10/31/2018. (SIB) (Entered: 11/02/2018)
11/15/2018	<u>18</u>	STATUS REPORT by Center for Biological Diversity. (Attachments: # <u>1</u> Text of Proposed Order)(Mckay, Jeremy) (Entered: 11/15/2018)
11/15/2018	<u>19</u>	ORDER that the parties shall file another joint status report on or before November 30, 2018, updating the Court on the status of their discussions and proposing a schedule for further proceedings. Signed by Judge James A Soto on 11/15/2018. (SIB) (Entered:

		11/15/2018)
11/30/2018	<u>20</u>	STATUS REPORT by Center for Biological Diversity. (Attachments: # <u>1</u> Text of Proposed Order)(Mckay, Jeremy) (Entered: 11/30/2018)
12/03/2018	<u>21</u>	ORDER that the parties shall file another joint status report on or before December 21, 2018, updating the Court on the status of their discussions and proposing a schedule for further proceedings. Signed by Judge James A Soto on 12/3/2018. (SIB) (Entered: 12/03/2018)
12/11/2018	<u>22</u>	NOTICE OF ATTORNEY'S CHANGE OF ADDRESS/FIRM NAME by Jeremy Devin Mckay. (Mckay, Jeremy) (Entered: 12/11/2018)
12/21/2018	<u>23</u>	STATUS REPORT by Center for Biological Diversity. (Attachments: # <u>1</u> Text of Proposed Order)(Mckay, Jeremy) (Entered: 12/21/2018)
12/26/2018	<u>24</u>	MOTION to Stay <i>Motion for Stay of Case Due to Federal Government Shutdown</i> by Environmental Protection Agency. (Attachments: # <u>1</u> Text of Proposed Order)(Foss, Katherine) (Entered: 12/26/2018)
12/26/2018	<u>25</u>	ORDER granting <u>24</u> Motion to Stay. Case is STAYED pending the filing of a Notice of Resumed Government Activity by the United States. Counsel for the United States shall file a Notice of Resumed Government Activity within five (5) business days of the U.S. Department of Justice being funded and counsel returning to work. Signed by Judge James A Soto on 12/26/2018. (see Order for complete details) (SIB) (Entered: 12/26/2018)
02/04/2019	<u>26</u>	NOTICE re: Resumed Government Activity by Environmental Protection Agency . (Foss, Katherine) (Entered: 02/04/2019)
02/12/2019	<u>27</u>	STIPULATION / <i>Joint Proposed Schedule</i> by Environmental Protection Agency. (Attachments: # <u>1</u> Text of Proposed Order)(Foss, Katherine) (Entered: 02/12/2019)
02/20/2019	<u>28</u>	ORDER Defendant will produce non-exempt responsive records to Plaintiff on or before the 15th of each month, beginning on March 15, 2019. IT IS FURTHER ORDERED that the parties file joint status reports every other month on the 22nd day, starting March 22, 2019. Signed by Judge James A Soto on 2/19/2019. (See attached Order for complete information)(DLC) (Entered: 02/20/2019)
03/22/2019	<u>29</u>	STATUS REPORT <i>JOINT</i> by Center for Biological Diversity. (Mckay, Jeremy) (Entered: 03/22/2019)
05/22/2019	<u>30</u>	STATUS REPORT <i>JOINT STATUS REPORT</i> by Center for Biological Diversity. (Carreno, Alexa) (Entered: 05/22/2019)
07/22/2019	<u>31</u>	STATUS REPORT <i>JOINT</i> by Center for Biological Diversity. (Mckay, Jeremy) (Entered: 07/22/2019)
09/23/2019	<u>32</u>	STATUS REPORT <i>JOINT</i> by Center for Biological Diversity. (Carreno, Alexa) (Entered: 09/23/2019)
11/22/2019	<u>33</u>	STATUS REPORT <i>JOINT</i> by Center for Biological Diversity. (Carreno, Alexa) (Entered: 11/22/2019)